

Message Text

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ACTION EA-14

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CINCPAC FOR POLAD

E.O. 11652: NA

TAGS: PINT PFOR JA KS

SUBJECT: KCIA ALLEGEDLY SERVED SUBPOENA IN JAPAN

SUMMARY: IN UPPER HOUSE JUDICIARY COMMITTEE SESSION SEPTEMBER 21 TAKESHI WATANABE (JCP) PRESENTED COPY OF SUBPOENA ALLEGEDLY SERVED ON KOREAN RESIDENT OF JAPAN BY KCIA AND PRESSED GOJ ON ISSUE OF VIOLATION OF SOVEREIGNTY. MOFA SPOKESMAN SOUGHT TO PLAY DOWN IMPACT OF CHARGE BY STATING THAT SUBJECT IGNORED SUBPOENA AND STILL ENJOYS FREEDOM IN JAPAN. HOWEVER, MINJUSTICE ISAJI TANAKA STATED THAT REAL ISSUE IS WHETHER, IN FACT, KCIA ISSUED SUBPOENA IN VIOLATION OF JAPANESE SOVEREIGNTY. END SUMMARY.

1. IN UPPER HOUSE JUDICIARY COMMITTEE SESSION SEPTEMBER 21 TAKESHI WATANABE (JCP) QUESTIONED GOJ ABOUT KCIA SUBPOENA ALLEGEDLY SERVED ON BAE DONG-HO, KOREAN RESIDENT OF JAPAN, ON JUNE 2, 1971. BAE DONG-HO IS CHAIRMAN OF DEMOCRATIC UNIFICATION COUNCIL. COPY OF ALLEGED SUBPOENA PRESENTED TO COMMITTEE BY WATANABE REQUESTED BAE DONG-HO TO APPEAR BEFORE KCIA INVESTIGATION UNIT BY JUNE 15, IN CONNECTION WITH SUSPECTED CASE OF VIOLATION OF ROK ANTI-LIMITED OFFICIAL USE

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COMMUNISM LAW. SUBPOBA WAS SIGNED BY CHO KWON-PIL, INVESTIGATOR,

KCIA FIFTH BUREAU.

2. MINJUSTICE ISAJI TANAKA REPLIED THAT CONDUCT OF CRIMINAL INVESTIGATION WITHIN JAPAN BY OTHER NATION, WITHOUT OBTAINING GOJ PERMISSION, WOULD CONSTITUTE VIOLATION OF JAPANESE SOVEREIGNTY. ACCORDING TO PRESS, MINJUSTICE ADDED THAT GOJ WOULD TAKE STRONG POSITION, IF, IN FACT, SUCH WAS CASE.

3. YOSUKE NAKAE (COUNCILLOR, ASIAN AFFAIRS BUREAU) EXPLAINED THAT MOFA LEARNED ABOUT ALLEGED SUBPOENA FROM PRESS ACCOUNTS AT TIME, BUT HAD BEEN UNSUCCESSFUL IN ATTEMPT TO CLARIFY FACTS THROUGH ROK EMBASSY. HE SAID THAT MOFA WOULD TRY TO OBTAIN SUBPOENA AND INVESTIGATE FURTHER. HOWEVER, HE ALSO NOTED THAT BAE DONG-HO DID NOT CONTACT MOFA ABOUT MATTER, IGNORED SUBPOENA, AND STILL REMAINS AT LIBERTY IN JAPAN. THEREFORE, NAKAE CONCLUDED THAT THERE IS NO PROBLEM.

4. MINJUSTICE, HOWEVER, TOOK ISSUE WITH MOFA POSITION, STATING THAT REAL ISSUE IS WHETHER SUBPOENA WAS SERVED, NOT WHETHER IT IGNORED. HE REITERATED THAT GOJ WOULD TAKE STRONG POSITION IF, IN FACT, SUBPOENA WAS SERVED.

5. YOSHIO YASUHARA (MOJ, CRIMINAL AFFAIRS BUREAU DIRECTOR) ALSO STATED THAT SERVING OF SUCH SUBPOENA BY KCIA, IN FACT, WOULD CONSTITUTE VIOLATION OF JAPANESE SOVEREIGNTY.

6. IN FURTHER QUESTIONING, WATANABE CHARGED THAT ROK EMBASSY PERSONNEL, INCLUDING MINISTER KIM JAE-KWON, BUGGED AND RECORDED CONVERSATIONS OF KOREAN RESIDENTS OF JAPAN.

7. YASUHARA REPLIED THAT THERE NO EVIDENCE TO INDICATE THAT MINISTER KIM WROTE SO, IN ABSENCE OF WHICH IT WOULD BE QUOTE DANGEROUS UNQUOTE TO STATE SUCH A CONCLUSION. NEVERTHELESS, YASUHARA ADDED THAT NOT ONLY JAPANESE SOVEREIGNTY BUT JAPANESE LAW ALSO WOULD HAVE BEEN VIOLATED IF MINISTER KIM, IN FACT, HAD DONE SO.

8. MINJUSTICE SAID THAT HE WOULD AWAIT RESULTS OF MOFA INVESTIGATION.

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